

Appl. No. 10/753,130

Amendment dated February 11, 2005

Reply to Non-Final Office Action of August 11, 2004

REMARKSClaim Objections

Claims 1-61 were objected to for a minor informality in claim 1, which has been corrected above. This objection should be withdrawn.

Claim Rejections - 35 U.S.C. § 112

Claims 7-12 were rejected as indefinite in that the center carbon in the units $\text{CH}_2\text{-CHC(O)}$ and $\text{CH}_2\text{-C(CH}_3\text{)C(O)}$ have only three bonds. Applicants respectfully disagree.

The units as defined in the rejection are taken out of context of the larger structural unit of which they are a part. Thus $\text{CH}_2\text{-CHC(O)}$ is a part of $\text{-[CH}_2\text{-CHC(O)-Y-SO}_3\text{H]-}$, and $\text{CH}_2\text{-C(CH}_3\text{)C(O)}$ is a part of $\text{-[CH}_2\text{-C(CH}_3\text{)C(O)-Y-SO}_3\text{H]-}$. The apparently missing bond on the center carbon is the terminal bond outside the right bracket of each of the larger units, since that terminal bond cannot match with any part of $\text{C(O)-Y-SO}_3\text{H}$. Therefore the formulae are correct as written and require no amendment.

Claim 7 also was rejected for reciting formula V without the corresponding structure. Applicants have added formula V from paragraph 66 of the specification as published. No new matter was introduced.

Claim 8 was rejected as indefinite since group Y must contain at least one carbon, and if $n=0$ Y has no carbons. As amended, the minimum value for n is 1. It is believed the claim is now definite.

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Claims 9-12 were rejected as lacking antecedent basis for "sulfonated copolymer" in claim 1. Applicants do not understand this rejection, since one of skill would consider copolymers of one or more monomers containing sulfonic acid groups to be sulfonated copolymers. Nevertheless, Applicants authorize the Examiner to make the suggested amendment if necessary to advance prosecution.

Claim Rejections - 35 U.S.C. § 103

Claim 1 has been amended to incorporate the elements of claim 36, now canceled. No new matter has been added. The claims as amended should not be rejected over Zhou et al. EP 0 851 022 A2 for the following reasons.

The rejection states that Zhou et al. page 4, lines 27-35 teaches a pH of less than or equal to 7. This is wrong. Zhou states the compositions have a pH of less than 7, not less than or equal to 7. Applicant's minimum pH is 7, which lies outside less than 7. Zhou does not suggest a pH higher than less than 7. Therefore claim 1 and all remaining claims are patentable over Zhou.

CONCLUSION

In view of the amendments and remarks above, Applicants ask for reconsideration and allowance of all pending claims. Should any fees be due for entry and consideration of this Amendment that have not been accounted for, the Commissioner is authorized to charge

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them to Deposit Account No. 01-1250.

Respectfully submitted,



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